

REMARKS

Claims 1-4 are amended. Claims 1-4 remain in the Application. Reconsideration of the pending claims is respectfully requested in view of the above amendment and the following remarks.

I. In the Specification

Applicants have amended the typographical errors identified by the Examiner in the specification. Specifically, Applicants have amended page 2, lines 3-7 and page 4, lines 14-22. Withdrawal of the rejection is respectfully requested.

II. Claims Rejected Under 35 U.S.C. § 112

Claim 3 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants amend the term “an optical broadcast module” to “an optical multicast module” in line 3 of Claim 3. Withdrawal of the rejection is respectfully requested.

III. Claims Rejected Under 35 U.S.C. § 102

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0057861 issued to Ge et al. (“Ge”).

To anticipate a claim, the Examiner must show that a single reference teaches each of the elements of that claim. Among other elements, amended Claim 1 recites “the broadcasting port being coupled to the optical broadcast module, the optical broadcast module being designated for broadcasting.” Applicants submit that Ge does not teach at least these elements.

Ge discloses an optical switch 10 including a combined fiber 39 that is coupled to a plurality of output fibers 48. Combined fiber 39 carries all data going to all of the optical switch’s outputs (paragraph 55). Even assuming, for the sake of argument, that the combined fiber 39 is the claimed broadcasting port, the output fibers 48 are not the claimed optical broadcast module. This is because none of the output fibers 48 is designated for broadcasting. Rather, Ge discloses that every output of the optical switch 10 can selectively receive all or part of the information carried on the combined fiber 69 (paragraph 58). Since each output fiber 48 can selectively output a portion of the combined data, none of the output fibers 48 is designated for

broadcasting. Thus, Ge does not teach each of the elements of amended Claim 1. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claim 1 are requested.

Claim 3 is amended to include the limitations of “the multicasting port being coupled to the optical multicast module, the optical multicast module being designated for multicasting.” For similar reasons mentioned above, Ge does not disclose an optical multicast module being designated for multicasting. Thus, Ge does not teach each of the elements of amended Claim 3.

In regard to Claims 2 and 4, these claims depend from Claims 1 and 3 and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to Claims 1 and 3, Ge does not anticipate these dependent claims. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claims 1-4 are respectfully requested.

IV. Double Patenting

The Examiner indicates that Claim 3 is a substantial duplicate of Claim 1. Thus, the Examiner indicates that if one of two claims is allowed, the other claim will be objected to as being a substantial duplicate of the allowed claim. Applicants disagree. Claim 1 recites an “optical broadcast module” which is different from the “optical multicast module” recited in Claim 3. It is well known in the art of communication that broadcasting and multicasting are two different communication techniques and are implemented by different communication protocols. Thus, Claims 1 and 3 are not substantial duplicates of each other.

Accordingly, reconsideration and withdrawal of the double patenting rejection are requested.

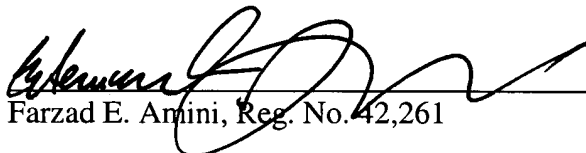
CONCLUSION

In view of the foregoing, it is believed that all claims now are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Amber D. Saunders Date